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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/692,083	10/19/2000	Bruno Mombrinie 013381.00022		7953	
75	90 07/15/2003				
CHARLES N. QUINN, ESQ. FOX ROTHSCHILD O'BRIEN & FRANKEL, LLP 2000 MARKET STREET, 10TH FLOOR PHILADELPHIA, PA 19103-3291			EXAMINER		
			JOHNSON, VICKY A		
			ART UNIT	PAPER NUMBER	
			3682		
			DATE MAILED: 07/15/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Ederation of time may be available under the provisions of 3° CPR 1.136(a). In no event, however, may a reply be timely flied Ederation of time may be available under the provisions of 3° CPR 1.136(a). In no event, however, may a reply be timely flied Ederation of time provision of the provision of 3° CPR 1.136(a). In no event, however, may a reply be timely flied I the period for reply appetition of the provision of 3° CPR 1.136(a). In no event, however, may a reply be timely flied. If the period for reply appetition of the provision of the prov	, ,		Application No.	Applicant(s)				
Vicky A. Johnson 3682	Office Action Summary		09/692,083	MOMBRINIE, BRUNO				
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Ederations of time may be available under the provisions of 3 CFR 1.13(a). In severet, however, may a reply be timely filed after SX (6) MONTHS from the mailing date of this communication. If the period travely septidine floor is less than this (9) (20) days and the considered timely, after SX (6) MONTHS from the mailing date of this communication. If the period travely septidine duries the provisions of 3 CFR 1.13(a). In severet, however, may a reply be timely filed after SX (6) MONTHS from the mailing date of this communication. If the period travely submit the set or extended prior for reply will be provided to the communication. Fallow to reply williah the set of extended prior for reply will be placed to the communication. Fallow to reply williah the set of extended prior for reply will be placed to the communication. Any reply received by the Official extent the time maining date of this communication, even if timely filed, may reduce any settlement term adjustment. Set 37 CFR 1.794(b). Status 1)② Responsive to communication(s) filed on @9 June 2003. 2a)□ This action is FINAL. 2b)② This action is FINAL. 2b)② This action is round in a condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)② Claim(s) §9-62.65 and 67-79 is/are pending in the application. 4a) Of the above claim(s) \$9-61 and 67-79 is/are withdrawn from consideration. 5)② Claim(s) §2 is/are allowed. 6)② Claim(s) \$2 is/are allowed. 6)② Claim(s) \$2 is/are allowed. 6)② Claim(s) \$2 is/are allowed. 7)□ The drawing(s) filed on is/are: a)□ accepted or b)□ objected to by the Examiner. Application Papers 9)□ The proposed drawings correction filed on is/are: a)□ accepted or b)□ objected to by the Examiner. 10)□ The proposed drawings correction filed on is/are: a)□			Examiner	Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ③ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Educations of time may be available under the growstons of 37 CFR 1.138(a). In no event, however, may a reply be timely filled discharged from the provision of the major of the			· · · · · · · · · · · · · · · · · · ·					
THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed other \$N (c) MoNTHS from the malling date of this communication. If the period for reply specified above is less than thin (YO) days, reply within the statistics might be considered timely. If the period for reply specified above is less than thin (YO) days, reply within the statistics might be considered timely. Failure to reply within the set or extended period for reply with (YO) days, reply within the set or extended period to reply within the set of this communication. Failure to reply within the set or extended period for reply with the process of the set of this communication to reply within the set of this communication. Failure to reply within the set or extended period for reply with the process of the set of this communication. Failure to reply within the set or extended period to reply with the statistic cause in a control with the process of the set of								
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1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	2) D Notice o	f Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal F					

Application/Control Number: 09/692,083

Art Unit: 3682

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 9, 2003 has been entered.

Claim Rejections - 35 USC § 112

- 2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

 The specification shall conclude with one or more claims particularly pointing out and distinct
 - The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
- 3. Claim 65 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 65 line 10, it is unclear what should be positioned within the first and second tubular members.

Allowable Subject Matter

- 4. Claim 62 is allowed.
- 5. Claim 65 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vicky A. Johnson whose telephone number is (703) 305-3013. The examiner can normally be reached on Monday-Thursday (7:00a-5:00p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Bucci can be reached on (703) 308-3668. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

vaj (1/3/93 July 3, 2003

> Thomas R. Hannon Primary Examiner